

REMARKS

Upon entry of the present amendment, the claims will not have been amended, no claims will have been canceled and no claims will have been submitted for consideration. Applicants respectfully traverse the Examiner's rejections and submit that they are inappropriate with respect to the combination of features recited in each of Applicants' claims for the reasons as will be set forth hereinbelow.

Initially, Applicants wish to thank the Examiner for his indication that claims 20-31 are allowed. Applicants further wish to thank the Examiner for indicating that claims 2-9 and 15-19 are merely objected to for depending upon a rejection base claim but would be allowable if rewritten into independent form including all the limitations of the base claim and any intervening claims. For reasons as will be set forth hereinbelow, Applicants respectfully decline to rewrite these claims into independent form as the independent claims from which they depend are clearly patentable over the references of record in the present application.

Applicants further note with appreciation the Examiner's acknowledgement of their Claim for Foreign Priority under 35 U.S.C. § 119 and for confirming that the certified copies of the priority documents have been received.

Applicants respectfully thank the Examiner for considering the documents cited in the Information Disclosure Statement filed in the present application on May 1, 2002 by return of the signed and initialed PTO-1449 Form that was attached to the Information Disclosure Statement.

In the outstanding Official Action, the Examiner rejected claim 1 under 35 U.S.C. § 102(b) as being anticipated by NOMURA et al. (U.S. Patent No. 5,748,388). The Examiner further rejected claims 10 and 12 under 35 U.S.C. § 103 as unpatentable over NOMURA et al. in view of OHKAWARA et al. (U.S. Patent No. 5,786,853). Claims 11 and 13-14 are rejected under 35 U.S.C. § 103 as unpatentable over NOMURA et al. in view of IWASAKI et al. (U.S. Patent No. 5,721,645).

As noted above, Applicants respectfully traverse each of the above rejections and submit that they are inappropriate with respect to the combination of features recited in each of the claims in the present application. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of these rejections, in due course.

In setting forth the rejections, the Examiner noted that NOMURA et al. discloses a zoom lens including a plurality of lens groups that are moved with respect to each other to change a focal length of the zoom lens. The Examiner also asserted that NOMURA et al. discloses a cam barrel having at least one cam groove and that the cam barrel includes a first barrel (20) having a cam groove on an inner peripheral surface and a second barrel (19). The Examiner asserted that the first and second barrels are moveable in the optical axis direction "while being rotatable together about said optical axis". It is respectfully submitted that the Examiner's interpretation of the NOMURA et al. reference is inaccurate.

In particular, while NOMURA et al. does relate to a zoom lens having a plurality of lens groups and a cam barrel having first and second barrels, it is respectfully submitted that at least the recitation of Applicants' combination claim that the first and

second barrels are "being rotatable together about said optical axis" is not disclosed therein. It is respectfully submitted that the barrels identified by the Examiner of NOMURA et al. are explicitly described therein as not being rotatable together about the optical axis.

NOMURA et al., which is assigned to the same Assignee as the present application, is directed to a lens barrel having a rotating barrel and a linearly moveable barrel. In regard to the movement of the first and second barrels "rotatable together about said optical axis", Applicants respectfully direct the Examiner's attention to column 10, lines 42-46 of NOMURA et al. Therein, NOMURA et al. explicitly discloses that when the second moving barrel 19 rotates in the forward or reverse rotational direction, the first moving barrel 20 moves linearly forwardly or rearwardly along the optical axis O but is "restricted from rotating".

Thus, it is absolutely clear from the explicit disclosure of NOMURA et al. that while the barrel 19 rotates, the barrel 20 is restricted from rotating. Thus, the explicitly recited feature of Applicants claim 1 that the first and second barrels are rotatable together about the optical axis is clearly not taught, disclosed nor rendered obvious by NOMURA et al. At least for this reason, it is respectfully submitted that claim 1 is clearly patentable over the NOMURA et al. reference cited by the Examiner.

The rejection of claims 13 and 14 as unpatentable over NOMURA et al. in view of IWASAKI et al. is further traversed. Initially, Applicants note that for the same reasons set forth above with respect to claim 1, the NOMURA et al. reference is deficient with respect to the explicitly recited features of claim 13. In this regard, claim 13 also recites

that the first and second barrels are "being rotatable together about said optical axis". For this reason alone, it is respectfully submitted that claim 13 is patentable over the combination of NOMURA et al. and IWASAKI et al.

IWASAKI et al. is directed to an optical instrument with a moveable lens barrel. As noted by the Examiner, IWASAKI et al. discloses a zoom lens camera having a first barrel 10 and a second barrel 13. The Examiner asserted that these two barrels are moveable together. Applicants respectfully traverse and submit that the Examiner's interpretation of the IWASAKI et al. reference is incorrect.

In this regard, the Examiner's attention is respectfully directed to column 4, lines 28-33. Therein, IWASAKI et al. explicitly discloses that the linear barrel 13 is rotatable with respect to the middle moveable barrel 10. Although the middle moveable barrel 10 is rotatable, the linear barrel 13 does not rotate, but is moveable together with middle moveable barrel 10 in parallel with the optical axis. Thus, it is absolutely clear from the explicit disclosure of IWASAKI et al. that IWASAKI et al. also does not disclose first and second barrels that are rotatable together about the optical axis, as explicitly recited in Applicants claim 13. For his additional reason, it is respectfully submitted that the Examiner's combination of NOMURA et al. and IWASAKI et al. is inappropriate for a rejection of claim 13.

In setting forth the rejection, the Examiner asserted that IWASAKI et al. discloses springs 18. While this is accurate, the structure and operation of the springs 18 is rather different than that set forth in Applicants claim. In this regard, Applicants note that claim 13 recites the spring "biases said second barrel forward in said optical axis direction and

is compressed when an external force is applied to said second barrel from the outside of said zoom lens in a direction to push said second barrel rearwards in said optical axis direction". It is respectfully submitted that the springs of IWASAKI et al. do not comply with the above-noted recitation of claim 13.

In this regard and as can be clearly seen with respect to Fig. 2 and as described by IWASAKI et al. at the top paragraph of column 5, the springs 18 are extension springs that are connected between spring plates 17 and the lens holder 12. The spring plates 17 are attached to a rearward surface of the barrel 13. The purpose of the springs 18 is to bias the followers 12 into contact with the grooves of lens barrel 13. In this regard, the Examiner's attention is respectfully directed to column 5, lines 17-19.

Moreover, the springs 18 are extension springs and will not be compressed upon application of an external force to the second barrel. Further, these springs are not disposed between the first and second barrels but between a barrel and a lens holder received within the barrel.

Accordingly, for these additional reasons, it is respectfully submitted that the combination of NOMURA et al. and IWASAKI et al. is inappropriate and insufficient to render unpatentable any of the claims in the present application. An action to such effect is respectfully requested in due course.

With regard to the rejected dependent claims 10, 11, 12 and 14, Applicants submit that these claims are patentable because they depend from a shown to be allowable claim as well as for additional reasons related to their own recitations. Accordingly,

reconsideration and withdrawal of the rejection applied to these claims is also respectfully requested in due course.

Applicants note the Examiner's statement of reasons for the indication of allowable subject matter with respect to claims 2-9 and 15-20 as well as the Examiner's statement of reasons for allowance with respect to claims 22-31.

In this regard, while Applicants do not particularly disagree with any of the features enumerated by the Examiner, Applicants further point out that each of the claims in the present application is directed to a combination of features and that the patentability of each claim is thus also based on the particular combination of features recited therein. Accordingly, the reasons for allowance or for the indication of allowable subject matter should not be limited to those particular features enumerated by the Examiner.

In view of the above remarks, Applicants respectfully request reconsideration and withdrawal of each of the outstanding rejections together with an indication of the allowability of all the claims pending herein, in due course. Such action is respectfully requested and is now believed to be appropriate and proper.

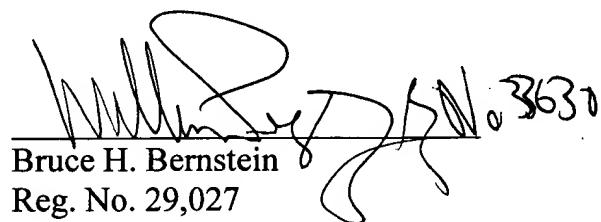
SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so.

Applicants have discussed the disclosure of the references cited by the Examiner and have pointed out the significant and substantial shortcomings thereof with respect to the claims pending in the present application. Applicants have discussed the features of Applicants invention and have pointed out how these features are not disclosed by the references cited by the Examiner. Accordingly, Applicants have provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully request an indication to such effect in due course.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Hiroshi NOMURA et al.


Bruce H. Bernstein
Reg. No. 29,027

October 14, 2004
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191